

Remarks

Claims 3-10 and 25-28 are pending and subject to a restriction requirement as between:

- Group I claims 27 and 28, drawn to a compound;
- Group I claims 25 and 26, drawn to mixtures;
- Group III claims 3 and 6, drawn to processes for coloring polymer;
- Group IV claims 4, 5, 9, and 10, drawn to colored plastic materials;
- Group V claims 7 and 8, drawn to other pigmented materials.

Applicants elect to prosecute the invention of Group III, claims 3 and 6. Applicants submit that in view of the form of restriction in the parent application, Groups III, IV and V should be rejoined. Nevertheless, Applicants intend to request such upon notification of allowance of Group III. The claims of Groups IV and V incorporate the inventive features of Group III. Therefore, there would be no additional work or search required by the Examiner. Claims 8 and 9 have been amended to facilitate rejoinder.

The Examiner has also made a election of species requirement with respect to claim 3. Applicants respectfully traverse this requirement as the claims are directed to a single inventive feature, which is a latent pigment having a selected leaving group. The chromophores are not the essential differentiating inventive feature in this case. Therefore, Applicants admit that the various chromophore species are not patentably distinct. This admission is contingent on the Examiner withdrawing the species requirement. Applicants request that the Examiner reconsider and withdraw her species requirement in light of the above admission. To complete the response as to the election of species, Applicants elect the species of example C1 even though the requirement has been traversed.

The Examiner rejects claims 3-10 and 25-28 under 35 U.S.C. 112(2) as being indefinite. The Examiner objects to claims 3, 4, 5, 9 and 10 for depending from claim 1, which has been canceled. Claims 3 and 6 have been elected above and amended to remove the reference to claim 1. Claims 4 and 5 depend ultimately from claim 3. Claim 9 has been amended to incorporate the subject matter of claim 1. Claim 10 depends from claim 9.

The Examiner objects to claims 6, 7, 8, 25 and 26 for referring to formula (I) without appropriate definitions. The subject matter of claim 1 has been incorporated into claims 3, 6 and 8,

which are the elected claims plus a claim hoped for rejoinder. The Examiner objects to claims 27 and 28 as being directed to a compound but depending from mixture claims. These claims have not been elected for prosecution on the merits.

Applicants submit that the foregoing is a complete response to the office action. The Examiner is urged to contact the undersigned to address any remaining issues or questions.

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